

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

OCTOBER 19, 2009

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present:

Chairman Harold Sanger
Steve Lichtenfeld, Aldermanic Representative
Craig S. Owens, City Manager
Jim Liberman
Marc Lopata
Scott Wilson
Ron Reim

Absent:

None

Also Present:

Catherine Powers, Director of Planning & Development Services
Jason Jaggi, Planner
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

MINUTES

The minutes of the October 5, 2009 meeting were presented for approval. Chairman Sanger noted that his last name was incorrectly spelled on the first page in the list of members present. The minutes were then approved, as corrected, after having been previously distributed to each member.

AMENDMENT TO CONDITIONAL USE PERMIT/ARCHITECTURAL REVIEW BOARD –
CITY COFFEE HOUSE – 36 N. BRENTWOOD BLVD.

Ray Gallardo, owner, was in attendance at the meeting. Also in attendance was Mike Wilke with Patriot Sunrooms (contractor).

Catherine Powers explained that this request is for consideration of a Conditional Use Permit amendment to allow the expansion of the City Coffee House. The applicant is proposing the construction of a 287 square feet one-story sunroom addition facing Brentwood. The City Coffee House began operations in 1995 and due to the increased demand, the space is proposed to be increased which will allow year-round dining in the area now used as an outdoor dining patio. This proposed addition was granted a parking variance by the Board of Adjustment on June 4, 2009. The Board of Adjustment stipulated that one additional space in the rear garage be designated for use by the restaurant. The applicant submitted a letter indicating that an additional space has been permanently assigned to City Coffee House. The existing outdoor dining area is to be converted to an indoor building addition. Including the addition, the restaurant will measure 2,247 square feet and accommodate 99 patrons in the dining area. Off-street employee parking is not required since the restaurant is located in the Central Business District and is less than 3,000 square feet. The proposed hours of operation remain unchanged and are 6:30am to 4:00pm Monday through Friday and 7:00am through 3:00pm Saturday and Sunday. All other aspects of the restaurant also remain the same. The addition will convert outside patio dining into an enclosed space available for year-round use. The project follows the expansion of the adjacent space currently occupied by Oceano Bistro. Staff recommends approval of the Conditional Use Permit amendment to the Board of Aldermen with all of the existing CUP stipulations and that the occupancy of the restaurant not exceed 99 patrons as required by the Building Code.

Mr. Wilke presented a front elevation to the members.

Steve Lichtenfeld asked if exiting requirements were reviewed.

Catherine Powers indicated that the plans were reviewed by our Building Official for exiting and fire suppression purposes and that is why they are limited to 99 patrons.

Being no further questions or comments, Steve Lichtenfeld made a motion to recommend approval of the conditional use permit amendment to the Board of Aldermen. The motion was seconded by Scott Wilson and unanimously approved by the members.

The architectural aspects of the project were now up for review.

Catherine Powers explained that this is a request for a sunroom addition to enclose the current outdoor dining area to allow year-round use of the space. The total capacity of the restaurant with the proposed addition will be 99 seats. The current building size is 1,960 square feet. The proposed sunroom size is 287 square feet which will increase the total square footage to 2,247. The height of the addition will be 10'-4" measured from grade to the roof ridge and will adjoin the existing restaurant structure facing Brentwood Boulevard. The proposed sunroom will be constructed of cultured stone veneer to match the adjacent Oceano Bistro structure and insulated glass with applied muntins. Insulated glass panels in an aluminum framing system will compose the new standing seam roof. Existing signage will remain. The primarily glass and stone addition will alter the Brentwood Boulevard streetscape in the Downtown Overlay Zoning District. Staff believes that the proposed all-season structure will be a positive addition to this segment of Brentwood Boulevard and staff recommends approval as submitted.

Mr. Wilke presented samples of the stone and glass proposed for the addition.

Chairman Sanger asked if this will be permanent indoor space.

Mr. Gallardo replied “yes”. He stated that most of his business is on the weekends and they need additional indoor space.

Jim Liberman asked why they did not match the window glazing on Oceano Bistro.

Mr. Wilke stated that they wanted it distinct from Oceano Bistro.

Jim Liberman asked where the rain water goes.

Mr. Wilke indicated that it will run onto the sidewalk as it does currently.

Being no further questions or comments, Scott Wilson made a motion to approve as submitted. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

SITE PLAN REVIEW/ARCHITECTURAL REVIEW - NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 19 DARTFORD

Ms. Lauren Strutman, project architect, was in attendance at the meeting. Also in attendance were David Butler, owner and Dave Welton, civil engineer.

Catherine Powers explained that the proposed project consists of a two-story brick and stucco single family residence with a two-car detached garage measuring 550 square feet. The proposed two-story residence measures 3,732 square feet with a height of approximately 29’ 7” from the average existing grade to the mid-point of the highest roof plane. The proposed two-story garage will contain unfinished storage space on the second floor. A Conditional Use Permit will be required if the second floor is finished to provide independent living facilities. The subject property is currently vacant. Prior to demolition, the property contained a single-family residence and swimming pool with deck. Since the lot is vacant, the existing impervious coverage values and differential calculations were obtained from old MSD plans. The plans indicate that the existing impervious coverage was 41.8% of the site. The new plans show impervious coverage at 3,909 square feet or 52.1% of the site. The existing storm water runoff prior to demolition was 0.42 cubic feet per second. Storm water runoff on the proposed site plan will increase to 0.46 cubic feet per second. New downspouts on the proposed residence will connect to pop-up bubblers and daylight in the front and back yards. All storm water on the property will be directed from the rear to the front. Additional runoff will be directed toward the street. Trash will be enclosed adjacent to the detached garage and screened by wood posts with a metal gate frame. The HVAC system will be geothermal; therefore, no external units are shown. No existing trees are being removed as a part of this project. Two trees on the subject property will be impacted. These trees are shown to be protected during construction. Ten trees totaling 20.5” are proposed to be planted. A brick coach walk proposed in the street tree lawn will be removed and replaced with sod. Staff believes that this project will not impact adjacent properties and the impervious coverage, storm water

mitigation, and setbacks are in conformance with the R-2 Single Family Zoning Ordinance requirements. Day lighting is an appropriate measure for storm water mitigation on this site because the combined sewer system in the subject area prohibits downspouts from connecting. Two trees on the subject property will be impacted by construction and need to be protected; one of the trees will be especially impacted due to grading and foundation for an egress window. The City's contracted Landscape Architect should perform an inspection of the tree protection fencing prior to construction activity on the site. In addition, a landscape bond in the amount of \$1,440 (12-caliper inches of impacted trees at \$120 per inch) should be provided prior to building permit issuance. The trees are to be inspected by the City's contract Landscape Architect one year after the occupancy permit has been issued. If the trees have been determined to be in poor condition, they are to be replaced. Staff recommends approval as submitted with the following conditions:

1. That the City's contracted Landscape Architect perform a site inspection prior to commencement of construction activity to approve the tree protection fencing.
2. That a landscape bond in the amount of \$1,440 (12-caliper inches of tree impact at \$120 per inch) be provided prior to building permit issuance.
3. That the impacted trees be inspected by the City's contracted Landscape Architect one year after the occupancy permit has been issued. If the trees have been determined to be in poor condition, they are to be replaced. Replacement insufficiencies are to be paid into the City's Forestry fund.

Ms. Strutman presented a site plan to the members. She explained that this currently vacant lot backs to Fontbonne and that the project includes a new 2-story, single family structure with a detached garage. He indicated that the downspouts will be connected to pop-up bubblers. He stated that no trees are being removed and that Trustee approval has been obtained.

Chairman Sanger asked if the project meets setback requirements.

Catherine Powers replied "yes".

Steve Lichtenfeld asked if the driveway area to the garage will serve as a turn-around area.

Ms. Strutman replied "no"; she stated it is not large enough.

Steve Lichtenfeld asked then if vehicles will have to be completely backed down the driveway onto the street.

Ms. Strutman replied "yes".

Steve Lichtenfeld commented that it is a long driveway.

Everyone agreed.

Mr. Butler commented that the driveway is rather wide so it should not be that difficult.

Marc Lopata asked if the cfs increase took into account the house on the lot before it was divided.

Catherine Powers stated that she did not believe it did.

Jason Jaggi commented that old MSD plans were used.

Marc Lopata asked if that is why there is no comparison for tree loss/impervious coverage calculations.

Catherine Powers indicated that is correct. She indicated that this lot has been vacant for at least 5 years.

Marc Lopata commented that water that falls onto the southwest portion of the lot will run to the lot to the south.

Mr. Welton indicated that was correct.

Marc Lopata asked about water from the driveway.

Mr. Welton stated that they could put a swale down the middle of the driveway.

Marc Lopata stated that there is an obligation to contain water on the site and that was not being done here. He stated that this situation needs to be corrected.

Chairman Sanger asked if a plan does not satisfy City's policy, what can be done.

Catherine Powers stated that staff can review a revised water mitigation plan and approve administratively.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve per staff recommendations and staff's review and approval of driveway drainage. The motion was seconded by Scott Wilson and unanimously approved by the members.

The architectural aspects of the project were now up for review.

Catherine Powers explained that the proposed residence will be constructed of dark tan colored brick with stucco as a secondary material not exceeding 25% of the total area of any façade. Charcoal gray asphalt shingles are proposed on the roof, and window casements will be black. A detached two-car garage with a carriage style door is proposed on the southwest corner of the subject property. The garage will measure 19' 5" from the average existing grade to the average

roof plane height and is 550 square feet. The proposed second story will be used as unfinished storage space. The driveway will be exposed aggregate. Approval from the Hillcrest Subdivision Trustees has been submitted. The streetscape drawing shows two-story residences on the adjacent properties to the north and south, although the garage height has been maximized. Staff believes that the design and material of the proposed single family residence are compatible with other recently approved projects in the Hillcrest neighborhood and recommends approval as submitted. Catherine noted once again that Hillcrest Trustee approval has been submitted.

Ms. Strutman presented a color rendering to the members. She explained that this is a traditional style home featuring dark tan brick with stucco gables.

Samples of the proposed brick, stone, window and roof were presented.

Chairman Sanger asked if the house is in line with the other houses on the street.

Jason Jaggi advised the members that the house meets the average front yard setback for the block.

Marc Lopata asked what material is under the stucco.

Ms. Strutman replied “cement backer board”.

Marc Lopata asked if there is a rain barrier.

Ms. Strutman replied “yes”.

Being no further questions or comments, Jim Liberman made a motion to approve as presented. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

ARCHITECTURAL REVIEW – EXTERIOR RENOVATION – 230 S. BRENTWOOD BLVD.

No one was in attendance to present the project.

Steve Lichtenfeld made a motion to table the project. The motion was seconded by Jim Liberman and unanimously approved by the Board.

ARCHITECTURAL REVIEW - ADDITION AND EXTERIOR RENOVATION – COMMERCIAL – 8141 MARYLAND AVE.

Mr. Simon Katz, owner, was in attendance at the meeting. Also in attendance was Daniel Elavsky with Gunn & Smith Architects, project architect.

Catherine Powers explained that this is a request for a major renovation to the existing multi-tenant commercial structure to house Simon’s Jewelers. As part of the renovation, the front and rear elevations will be re-built with new facades resulting in the expansion of the building’s

footprint (toward the back) by approximately 350 square feet. The front patio will also be reconstructed and will contain a planter area, similar to the other buildings along this block. Finally, the rear parking lot will be resurfaced and striped while maintaining a similar parking configuration as currently exists. The Board of Adjustment granted a variance on May 7, 2009, for the required one (1) additional parking space as a result of the rear addition. The front façade will be a reddish brick with display windows. New black fabric awnings are proposed over the windows. Signage is proposed for the awnings; however, sufficient detail has not been provided. The roof will be a flat membrane in the rear with asphalt shingles in the front portion. A screened trash enclosure is provided at the back of the building accessible from the alley. The rear elevation will be a new brick façade with a new rear entry door. The existing poorly constructed rear vestibule will be removed. The proposed renovation will greatly enhance the appearance of this building and will compliment the adjacent businesses. The yellow paint will be removed from the building which will create a uniform appearance. The parking area in the rear of the building is proposed using a tandem parking layout. This configuration is not recognized by the City's Zoning Regulations; however, this arrangement was used in the past and the number of spaces is not decreasing. Overall, staff believes that the renovation will have a very positive impact on this unique area of Clayton and recommends approval with the condition that a sign permit be issued prior to sign installation.

Steve Lichtenfeld commented that it looks good and is a vast improvement to the building.

Scott Wilson asked if the yellow paint was approved by the Architectural Review Board.

Catherine Powers replied "no"; the tenant, Joy Tribout just painted it yellow.

Chairman Sanger asked if there is a parking issue.

Catherine Powers informed the members that the additional square footage would have required an additional parking space, but the Board of Adjustment granted a variance requirement at their meeting of May 7, 2009.

Mr. Katz informed the members that they will provide valet parking.

Chairman Sanger commented that Simon's Jewelers is a great Clayton citizen and that he is glad he is re-investing in our City.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve per staff recommendation. The motion was seconded by Ron Reim and unanimously approved by the Board.

ARCHITECTURAL REVIEW – NEW CONSTRUCTION – DETACHED GARAGE – 725 LANGTON

Paul Prifti, contractor and Theo Prifti, owner, were in attendance at the meeting.

Catherine Powers explained that this a request for the construction of a new two-car, 864 square foot, 13 feet in height, brick detached garage with a covered porch. An existing carport will be removed to accommodate the new garage. The hip roof will be asphalt shingle to match the main residence. The garage door will contain raised metal panels. The plans show a covered porch element which also could be used as a carport. Also shown are optional windows facing the covered porch section of the garage. The proposed garage provides additional parking for 2+ vehicles. The house presently has a two-car attached garage accessible from the rear turnaround. The existing asphalt rear turnaround will be extended to accommodate the new garage. The plans show impervious coverage at 45.6%. Accessory structures are permitted to occupy up to 35% of the required rear yard area. The plans show this garage covering 26.5% of the required rear yard, in compliance with the zoning regulations. The proposed detached garage is much larger than others in the neighborhood. Most of the garages in the neighborhood are attached to the structure. The plans do not indicate that the existing garage space will be converted to living space and therefore, this property will have an abundance of garage space. In discussion with the Subdivision Trustees, the issue of commercial parking was a concern. Staff has no indication that this use is contemplated. Since this garage will have a noticeable presence in the area, staff believes that evergreen screening should be placed along the north and west sides. As proposed, the garage meets all of the zoning requirements for coverage, setbacks and height. Catherine indicated that staff recommends approval with the following conditions:

- 1) That Clayshire subdivision trustee approval be provided prior to the issuance of a building permit.
- 2) That the applicant provide a landscape plan showing screening along the north and west sides for staff review and approval.
- 3) That the garage not be used to park commercial vehicles in this residential neighborhood.

Mr. Prifti (Paul) indicated that one of the Trustees is not happy, but the other two have signed off on the proposal and that the neighbors also have no objections. He stated that the roof will match the roof of the house and the brick will be matched as closely as possible.

Chairman Sanger asked how much involvement this Board has with regard to commercial parking.

Kevin O'Keefe stated that the question before this Board is the construction of a structure and that if it is misused, that would be handled separately.

Chairman Sanger indicated that it is his impression that the purview of this Board only extends so far and that he believes it is okay to park a commercial vehicle in a garage.

Kevin O'Keefe stated that in general terms, there is no concern as to what types of vehicles are parked out of public view. He stated that it is unlawful in Clayton to park commercial vehicles in the street.

Mr. Prifti (Paul) suggested the City staff check the City's ordinance as he believes it is lawful to park a commercial vehicle in one's driveway. He commented that Dr. Auer is only a part-time Clayton resident.

Chairman Sanger stated that was not of concern; Dr. Auer is a Trustee. He then asked about the driveway.

Mr. Prifti (Theo) indicated that it did not make much sense to repair the driveway and then keep driving trucks over it.

Steve Lichtenfeld asked if the garage door is a residential size door.

Mr. Prifti (Paul) replied "yes" (18'). He informed the members of the inaccuracies in Dr. Auer's letter.

Mr. Randy Speck with the Neighborhood Association indicated that he has a concern with the size of the garage.

Mr. Prifti (Paul) stated that the garage is actually 600 square feet with a side covered area, which was included in the square footage in staff's memo.

Mr. Speck stated there is an aesthetic concern and asked if landscaping can be required in front of the house.

A brief discussion regarding which subdivision this property falls into took place. It was stated that this property is in the Clayshire Ridge Subdivision.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve per staff recommendations 2 and 3. The motion was seconded by Jim Liberman and unanimously approved by the members.

CITY BUSINESS – REVISED REGULATIONS FOR RESIDENTIAL PROJECTS (IMPERVIOUS COVERAGE AND STORM WATER MANAGEMENT)

Catherine Powers informed the members that the laptop is not currently working, so the PowerPoint presentation cannot be made; hard copies were distributed. Catherine indicated that staff is looking at reducing impervious coverage to a maximum of 50%. She stated that about 1/3 of the residential new construction projects in the past 5 years had between 50 – 55% coverage and that 2/3 of the projects had less than 50%. She stated that staff believes this reduction in coverage (currently, 55% is allowed) will decrease run-off by a small percentage and allow for more tree plantings. She stated that additions coming in at 50% or below, however, will be difficult to accomplish.

Chairman Sanger asked for verbal confirmation that only 38% of new residential construction came in between 50 and 55%.

Catherine Powers confirmed.

Ron Reim commented that additions almost always come in close to 55%.

Jason Jaggi advised the members that the information being provided does not take into account additions that did not require site plan review (ARB review only additions).

Chairman Sanger referred to one of today's projects, 19 Dartford.

Catherine Powers noted that 19 Dartford (coming in at 52% coverage) is a very narrow lot. She indicated that a -0- increase in cfs is desired, however, some applicants, especially those proposing additions, would have to tear out an existing driveway in order to add a BMP which could be a disadvantage.

The difference between a French drain and a trench drain was discussed: a trench drain typically goes across a driveway or other hard surface and a French drain is a buried drain system to pick up ground water or distribute ground water beneath the surface.

Jason Jaggi stated that a trench drain is basically a catch basin, but that the water runs somewhere.

Chairman Sanger asked about swales.

Catherine Powers indicated that they are making a comeback. She noted that BMPs slow water; they do not "stop" water during heavy rainfalls.

Chairman Sanger asked staff if they are looking for direction from this Board.

Catherine Powers replied "yes".

Marc Lopata asked if the purpose is to preserve greenspace, detain water on-site (reduce flooding), filter with the first flush and achieve high water quality.

Jason Jaggi stated that he does not believe MSD requires water quality for less than 1 acre. He stated that staff would like to be able to give applicants some direction.

Chairman Sanger commented that each lot is different, but he understands that staff would like to have general rules to go by.

Jason Jaggi agreed. He stated staff would like criteria established.

Marc Lopata asked if model ordinances were reviewed.

Jason Jaggi indicated that some were reviewed.

Catherine Powers noted that some existing structures are on very small lots.

Marc Lopata asked what if someone wants to construct a 6 car garage.

Catherine Powers reminded the members that a structure cannot be built that is against code (zoning and/or building) and that the City wants quality, compatible development.

Chairman Sanger indicated that a method needs to be established to determine what BMP would be required at what amount of cfs increase.

Scott Wilson commented that sometimes (existing construction) the existing cfs is already a problem.

Jason Jaggi agreed.

Scott Wilson asked if an existing problem would be required to be corrected.

Jason Jaggi stated “yes” if additional construction is desired.

Marc Lopata proposed these new regulations: no increase run-off onto neighboring property, right-of-way limited to 10% run-off and 45% coverage with an allowance up to 50% if BMPs utilized (excluding pop-up emitters).

Catherine Powers indicated that Marc’s proposal could work for new construction; however, additions would be more difficult.

Kevin O’Keefe informed the members that MSD requirements trump the City’s requirements (MSD regulates sewers and storm-water to the exclusion of others) and that Missouri considers run-off a common enemy and that run-off is acceptable so long as it is not “collected and discharged” onto another’s property.

Jim Liberman asked about public feedback with regard to these revised regulations.

Catherine Powers informed the members that public input has not yet been solicited; at this time it is still just before this Board for discussion purposes.

Ron Reim commented that 55% is common knowledge amongst the community and that this Board should be able to decide the appropriate run-off.

Catherine Powers stated that it has to be an “across the board” number.

Craig Owens asked why a specific BMP should be required if the result is achieved.

Jason Jaggi stated that a list of examples would be given, but other options certainly would be considered.

Craig Owens commented that other BMPs may come along.

Staff agreed.

The issue of rain gardens ensued. Catherine Powers indicated that in instances where rain gardens were approved, one was removed and one “mysteriously” developed into only rocks. She stated that both have been replaced and are now working well.

Jason Jaggi commented that rain gardens do not work for every project.

Marc Lopata suggested replacing existing City sidewalks with pervious pavers.

Mr. Stan Mulvihill, Hillcrest Trustee, stated that he supports the idea of more greenspace, smaller footprints and storm water detention.

Catherine Powers asked the members to e-mail her any new ideas.

Chairman Sanger mentioned the tour of Centene.

Marc Lopata commented that the project is grandfathered under LEED 2.0.

Marc Lopata asked about the new tree ordinance.

Catherine Powers informed the members that she hopes to have something ready by late fall/early winter. She then invited the members to the next Board of Aldermen meeting (October 27th) where Sasaki will be introduced as the City’s consultant on the update of the City’s Master Plan/Retail Study.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 7:05 p.m.

Recording Secretary